


# ORIGINAL

DT02 Rec'd PCT/PTO 0 8 JUL 2004

FORM PTO-1390 (REV. 01-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>Le A 35 846</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/501105</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/00052</b>	INTERNATIONAL FILING DATE <b>07 January 2003</b>	PRIORITY DATE CLAIMED <b>16 January 2002</b>	
TITLE OF INVENTION <b>Phenyl Sulfoxides and Sulfones</b>			
APPLICANT(S) FOR DO/EO/US <b>Hendrix, et al.</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input checked="" type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11 to 20 below concern document(s) or information included:			
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: 1) Certificate of Mailing under 37 C.F.R. 1.10; 2) Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b); 3) Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein; and 4) Return Receipt Postcard.</p>			

<div style="position: absolute; top: -20px; left: 50px; font-size: 2em; opacity: 0.5;">ORIGINAL</div> <div style="position: absolute; top: -20px; left: 150px; font-size: 2em; opacity: 0.5;">ORIGINAL</div>		U.S. APPLICATION NO. <b>37 CFR 1.492</b> INTERNATIONAL APPLICATION NO. <b>PCT/EP03/00052</b>	ATTORNEY'S DOCKET NUMBER <b>Le A 35 846</b>					
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... \$ 1080.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$ 920.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 770.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 730.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS PTO USE ONLY</b>          <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>\$ 920.00</b></td> <td style="width: 50%; border: none;"></td> </tr> </table>		<b>\$ 920.00</b>				
<b>\$ 920.00</b>								
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$				
\$								
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$				
Total claims	13 - 20 =	0	x \$18.00	\$ 0.00				
Independent claims	6 - 3 =	3	x \$ 86.00	\$ 258.00				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 290.00	\$				
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,178.00</b>				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$				
<b>SUBTOTAL =</b>				<b>\$ 1,178.00</b>				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$				
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,178.00</b>				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$				
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,178.00</b>				
				<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><b>Amount to be refunded:</b></td> <td style="width: 50%; border: none;">\$</td> </tr> <tr> <td style="border: none;"><b>charged:</b></td> <td style="border: none;">\$</td> </tr> </table>	<b>Amount to be refunded:</b>	\$	<b>charged:</b>	\$
<b>Amount to be refunded:</b>	\$							
<b>charged:</b>	\$							
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.  b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-3372</u> in the amount of \$ <u>1,178.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3372</u> . A duplicate copy of this sheet is enclosed.  d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card          information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.								
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.								
SEND ALL CORRESPONDENCE TO: <b>Customer No. 35969</b>  <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <b>Jeffrey M. Greenman</b>  <b>Bayer Pharmaceuticals Corporation</b>  <b>400 Morgan Lane</b>  <b>West Haven, CT 06516</b> </div> <div style="width: 35%; text-align: center;">             SIGNATURE   <b>Susan M. Pellegrino</b>            NAME   <b>48,972</b>            REGISTRATION NUMBER         </div> </div>								

10/501105

Attorney's Docket No. Le A 35 846

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Hendrix, et al.**

Serial No.: [to be assigned] National Stage Filing of PCT/EP03/00052

Filed: herewith

For: **Phenyl Sulfoxides and Sulfones**

MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.10I hereby certify that the *attached* correspondence comprising:

- ☒ Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- ☒ Application Data Sheet under 37 C.F.R. 1.76;
- ☒ Preliminary Amendment;
- ☐ Original oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4));
- ☒ English Translation of the Application (35 U.S.C. 371(c)(2));
- ☒ Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- ☒ Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b), Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein;
- ☒ Return Receipt Post Card;
- ☐ Other:

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number E1735484189US addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 8, 2004  
Date

*Susan M. Pellegrino*  
Signature of Person Certifying / Susan Pellegrino